

REMARKS

As stated above, Applicant elects species 1, electrical, in group 1, and species 3, cross-trainer from Group II, and respectfully traverses the requirement for restriction for the following reasons:

It is believed that any search for the invention embodied in the elected species would necessarily include a search of the inventions embodied in the remaining species in groups I and II. Thus, the simultaneous search for all of the species within the Groups is believed not to constitute an unreasonable search for the Patent Examiner.

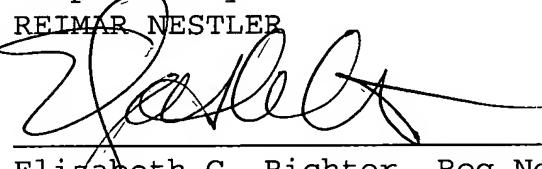
In addition, it is believed that the objectives of streamlined examination and compact prosecution would be promoted if a search were conducted simultaneously for all of the Groups. Also, the necessity of filing multiple patent applications in this case does not serve to promote the public interest because of the extra expense that is involved, in filing fees and examination costs, as well as the burden upon the public due to the necessity of searching through a multiplicity of patent files in order to find the complete range of subject matter claimed in

several different patents that could otherwise be found in one issued patent only.

Applicant reserves the right to file divisional applications for the non-elected invention.

For all these reasons, it is respectfully requested that the restriction requirement under 35 U.S.C. §121 be withdrawn, and that an action on the merits of all the claims be rendered.

Respectfully submitted,
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: COMMISSIONER OF PATENTS, Alexandria, VA 22313-1450 on September 18, 2006.


Kelly Espitia